

APR-03-02 17:34

FROM-GEN-PROBE EXECUTIVE OFFICE

8584108922

T-684 P. 88 F-485

**ATTACHMENT A**

## A S S I G N M E N T

For valuable consideration, we, ..... **Sherrol H. McDonough**  
 of ... San Diego, ..... **CA**; **Daniel L. Kacian**  
 CITY OR TOWN STATE FIRST MIDDLE INITIAL LAST  
 of ... San Diego, ..... **CA**; **Nanibhushan L. Battagupta**  
 CITY OR TOWN STATE FIRST MIDDLE INITIAL LAST  
 of ... San Diego, ..... **CA**; **Diane L. McAllister**  
 CITY OR TOWN STATE FIRST MIDDLE INITIAL LAST  
 of ... San Diego, ..... **CA**; **Philip W. Hammond**  
 CITY OR TOWN STATE FIRST MIDDLE INITIAL LAST  
 of ... San Diego, ..... **CA**; **Thomas B. Ryder**  
 CITY OR TOWN STATE and **LAST** MIDDLE INITIAL  
 of ... San Diego, ..... **CA**; hereby assign to .....  
 GEN-PROBE, INCORPORATED, a ..... Delaware, .....  
 corporation having a place of business at ... San Diego, ..... California, .....  
 and its successors and assigns (collectively hereinafter called "the Assignee"),  
 the entire right, title and interest throughout the world in the inventions and  
 improvements which are the subject of an application for ~~United States Patent~~  
 filed on August 4, 1992 **U.S. Serial No. 07/925,405**  
~~XXXXXXXXXX~~ entitled **NUCLEIC ACID SEQUENCE AMPLIFICATION**

this assignment including said application and any and all the United States and  
 foreign patents granted for any of said inventions or improvements, and the right  
 to claim priority based on the filing date of said application under the International  
 Convention for the Protection of Industrial Property, the Patent Cooperation  
 Treaty, the European Patent Convention, and all other treaties of like purposes;  
 and we authorize the Assignee to apply in all countries in our name or in its own  
 name for patents and like rights of exclusion and for inventors' certificates for  
 said inventions and improvements; and we agree for ourselves and our respective  
 heirs, legal representatives and assigns, without further compensation to perform  
 such lawful acts and to sign such further applications, assignments, Preliminary  
 Statements and other lawful documents as the Assignee may reasonably request  
 to effectuate fully this assignment.

IN WITNESS WHEREOF, I hereto set my hand and seal at ... San Diego, .....  
 California, ..... this ... 26 ... day of February, ..... 1993.

*Sherrol H. McDonough* L.S.  
 STATE OF ... California ..... **SHERROL H.** MIDDLE INITIAL LAST  
 COUNTY OF ... San Diego ..... : ss.

Before me this ... 26 ... day of ... February, ..... 1993, personally appeared  
**Sherrol H. McDonough**, ..... known to me to be the person whose name is  
 subscribed to the foregoing Assignment and acknowledged that he executed the  
 same as his free act and deed for the purposes therein contained.

SUZANNE M. HEFLIN  
 COMM. #974890  
 NOTARY PUBLIC-CALIFORNIA  
 SAN DIEGO COUNTY  
 MY COMMISSION EXPIRES  
 OCTOBER 4, 1996

*Suzanne M. Hefflin*  
 Notary Public

My Commission Expires: October 4, 1996

[Notary's  
 Seal Here]

RE6502 AM587

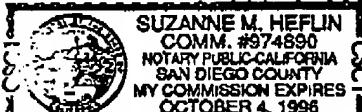
IN WITNESS WHEREOF, I hereto set my hand and seal at .....San..Diego....., California..... this ..26.... day of February....., 19..93

*Daniel L. Kacian* L.S.  
DANIEL L. KACIAN  
FIRST MIDDLE INITIAL LAST

STATE OF ....California.....

COUNTY OF ...San..Diego.....

Before me this 26..... day of February....., 19.93, personally appeared ..... known to me to be the person whose name is subscribed to the foregoing Assignment and acknowledged that he executed the same as his free act and deed for the purposes therein contained.



[Notary's Seal Here]

*Suzanne M. Heflin*  
Notary Public

My Commission Expires:

October 4, 1996

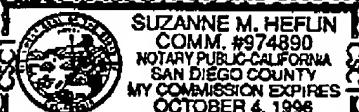
IN WITNESS WHEREOF, I hereto set my hand and seal at ..San..Diego....., California..... this ...26.. day of .February....., 1993..

*Nanibhushan Dattagupta* L.S.  
NANIBHUSHAN DATTAGUPTA  
FIRST MIDDLE INITIAL LAST

STATE OF ..California.....

COUNTY OF ...San..Diego.....

Before me this 26.... day of February....., 19.93, personally appeared Nanibhushan.Dattagupta..... known to me to be the person whose name is subscribed to the foregoing Assignment and acknowledged that he executed the same as his free act and deed for the purposes therein contained.



[Notary's Seal Here]

*Suzanne M. Heflin*  
Notary Public

My Commission Expires:

October 4, 1996

REF6502 FRAME588

IN WITNESS WHEREOF, I hereto set my hand and seal at ....San..Diego....., California..... this ..26.... day of .February....., 1993..

*Diane L. McAllister* L.S.  
DIANE L. MCALLISTER  
FIRST MIDDLE INITIAL LAST

STATE OF California.....

COUNTY OF ...San..Diego.....

Before me this ..26.... day of February....., 19.93, personally appeared Diane L. McAllister..... known to me to be the person whose name is subscribed to the foregoing Assignment and acknowledged that he executed the same as his free act and deed for the purposes therein contained.



[Notary's Seal Here]

*Suzanne M. Heflin*  
Notary Public

My Commission Expires:

October 4, 1996

IN WITNESS WHEREOF, I hereto set my hand and seal at .....San Diego....., California..... this 26..... day of February....., 1993.

*Philip W. Hammond* L.S.  
FIRST MIDDLE INITIAL LAST

STATE OF California..... PHILIP W. HAMMOND

COUNTY OF San Diego.....

Before me this 26... day of February....., 19.93, personally appeared Philip W. Hammond..... known to me to be the person whose name is subscribed to the foregoing Assignment and acknowledged that he executed the same as his free act and deed for the purposes therein contained.



[Notary's Seal Here]

*Suzanne M. Hefflin*  
Notary Public

My Commission Expires:

October 4, 1996

IN WITNESS WHEREOF, I hereto set my hand and seal at ...San Diego....., California..... this 26... day of February....., 1993.

*Thomas B. Ryder* L.S.  
FIRST MIDDLE INITIAL LAST

STATE OF California..... THOMAS B. RYDER

COUNTY OF San Diego.....

Before me this 26... day of ....February...., 19.93 personally appeared Thomas B. Ryder..... known to me to be the person whose name is subscribed to the foregoing Assignment and acknowledged that he executed the same as his free act and deed for the purposes therein contained.



[Notary's Seal Here]

*Suzanne M. Hefflin*  
Notary Public

My Commission Expires:

October 4, 1996

IN WITNESS WHEREOF, I hereto set my hand and seal at .....  
..... this ..... day of ..... 19.....

..... L.S.  
FIRST MIDDLE INITIAL LAST

STATE OF .....;

ss

COUNTY OF .....

Before me this ..... day of ..... 19....., personally appeared ..... known to me to be the person whose name is subscribed to the foregoing Assignment and acknowledged that he executed the same as his free act and deed for the purposes therein contained.

.....  
Notary Public

My Commission Expires:

[Notary's Seal Here]

RECORDED  
PATENT AND TRADEMARK  
OFFICE

OCT 14 1992

REEL 6502 FRAME 589

Docket No. GP034-03.DV1

ASSIGNMENT

FOR GOOD AND VALUABLE CONSIDERATION, the receipt and sufficiency of which are hereby acknowledged, I, Yeasing Y. Yang of 13569 Glencliff Way, San Diego, California 92130 (hereinafter "ASSIGNOR"), do hereby sell, assign and transfer unto Gen-Probe Incorporated, a corporation duly organized and existing under the laws of the State of Delaware and having its principal office and place of business at 10210 Genetic Center Drive, San Diego, California 92121, and its successors, assigns and legal representatives (hereinafter collectively "ASSIGNEE"), the entire right, title and interest throughout the world in and to those inventions and improvements which are the subject of an application for Letters Patent of the United States entitled "NUCLEIC ACID SEQUENCE AMPLIFICATION" and filed on June 6, 1995 (hereinafter "the application"), and to said application and any and all regular, continuation, divisional, continuation-in-part, reissue and substitute applications thereof, and all rights of priority under International Conventions and applications for Letters Patent filed for said inventions and improvements in any country or countries foreign to the United States, together with all Letters Patent issuing on any of the aforesaid applications for Letters Patent and all extensions and renewals thereof.

AND ASSIGNOR HEREBY AUTHORIZES ASSIGNEE to make applications in all countries in the names of the ASSIGNOR or in the name of the ASSIGNEE for Letters Patent and like rights of exclusion and for inventor's certificates for said inventions and improvements.

AND ASSIGNOR HEREBY COVENANTS AND AGREES to communicate to ASSIGNEE all facts known to ASSIGNOR concerning said inventions and improvements, and to testify in any legal proceeding, sign all lawful papers, execute all continuation, division, continuation-in-part and reissue applications, make all rightful oaths, and to perform any other reasonable and lawful act to assist ASSIGNEE in obtaining full protection and title in and to said inventions and improvements in all countries.

AND ASSIGNOR HEREBY AUTHORIZES AND REQUESTS the Commissioner for Patents to issue all Letters Patent of the United States for said inventions and improvements to ASSIGNEE in accordance with the terms of this instrument.

APR-03-02 17:35

FROM-GEN-PROBE EXECUTIVE OFFICE

8584108922

T-684 P.99 F-485

ASSIGNMENT

Docket No. GP034-03.DV1

IN WITNESS WHEREOF, I hereto set my hand and seal at San Diego, California,  
this 24<sup>th</sup> day of March, 2002.

By: Seasong  
Yeasing Y. Yang

Page 2 of 2

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of: ) Group Art Unit: 1631  
 )  
McDONOUGH *et al.* ) Examiner: Marschel, A.  
 )  
Serial No. 08/480,472 ) Atty. Docket No. GP034-03.DV1  
 )  
Filed: June 6, 1995 ) **VIA FACSIMILE**  
 )  
For: NUCLEIC ACID SEQUENCE )  
AMPLIFICATION )

**STATEMENT PURSUANT TO 37 C.F.R. § 1.48(a)(2)**

Box AF  
Commissioner for Patents  
Washington, D.C. 20231

Sir:

In accordance with the provisions set forth in 37 C.F.R. § 1.48(a)(2), I hereby state that the error in inventorship in the above-captioned application was inadvertent and occurred without any deceptive intention on my part.

Respectfully submitted,

Date: 3-24-02

By: Yea ing Yang  
Yea sing Y. Yang

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of: ) Group Art Unit: 1631  
 )  
McDONOUGH *et al.* ) Examiner: Marschel, A.  
 )  
Serial No. 08/480,472 ) Atty. Docker No. GP034-03.DV1  
 )  
Filed: June 6, 1995 )  
 )  
For: NUCLEIC ACID SEQUENCE )  
AMPLIFICATION )

**CONSENT OF ASSIGNEE PURSUANT TO 37 C.F.R. § 1.48(a)(5)**

Box AF  
Commissioner for Patents  
Washington, D.C. 20231

Sir:

I, on behalf of Gen-Probe Incorporated, the sole owner of the above-captioned application, hereby consent to the Request to Correct the Inventorship filed herewith, requesting that the instant application be amended to further include Yeasing Y. Yang as a joint inventor of the claimed invention. I hereby state that I am an officer of Gen-Probe Incorporated having authority to act on behalf of company.

Respectfully submitted,

Date: 4/3/02

By:

  
Peter R. Shearer

Vice President, Intellectual Property

GEN-PROBE INCORPORATED  
Patent Department  
10210 Genetic Center Drive  
San Diego, California 92121  
PH: 858-410-8920 / FAX: 858-410-8189

Page 1 of 1

**COMBINED DECLARATION AND POWER OF ATTORNEY OR AUTHORIZATION OF AGENT**  
**FOR UTILITY/DESIGN/CIP/PCT NATIONAL/PLANT/ORIGINAL/**  
**SUBSTITUTE/SUPPLEMENTAL DECLARATIONS**

As a below named inventor, I hereby declare that my residence, post office address and citizenship are as stated below next to my name and I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled: **"NUCLEIC ACID SEQUENCE AMPLIFICATION"**

the specification of which

[ ] is attached hereto.

[ x ] was filed on June 6, 1995 as U.S. Application Serial No. 08/480,472

[ ] was filed as PCT International Application No. PCT/\_\_\_\_\_ / \_\_\_\_\_ on \_\_\_\_\_  
 and (if applicable to U.S. or PCT application) was amended on \_\_\_\_\_

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above. I acknowledge the duty to disclose all information known to me to be material to patentability as defined in 37 C.F.R. § 1.56. I hereby claim foreign priority benefits under 35 U.S.C. § 119/365 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate filed by me or my assignee disclosing the subject matter claimed in this application and having a filing date (1) before that of the application on which priority is claimed, or (2) if no priority is claimed, before the filing date of this application:

<u>PRIOR FOREIGN APPLICATION(S)</u>						<u>Priority Claimed</u>
<u>Number</u>	<u>Country</u>	<u>Filed dd/mm/yyyy</u>	<u>Date first Published</u>	<u>Date Patented/Granted</u>	<u>Yes</u>	<u>No</u>

I hereby claim the benefit under 35 U.S.C. §119/120/365 of any United States application(s) listed below and PCT International applications listed above or below and, if this is a Continuation-In-Part (CIP) insofar as the subject matter disclosed and claimed in this application is in addition to that disclosed in such prior applications, I acknowledge the duty to disclose all information known to me to be material to patentability as defined in 37 C.F.R. §1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

<u>PRIOR U.S. PROVISIONAL, NON-PROVISIONAL AND/OR PCT APPLICATION(S)</u>						<u>Priority Claimed</u>
<u>08/345,881</u> Application Serial No.	<u>28/11/1994</u> Filed dd/mm/yyyy	<u>Patented (5,766,849)</u> Status - patented, pending, abandoned			<u>X</u> Yes	<u>      </u> No
<u>07/925,405</u> Application Serial No.	<u>04/08/1992</u> Filed dd/mm/yyyy	<u>Abandoned</u> Status - patented, pending, abandoned			<u>X</u> Yes	<u>      </u> No
<u>07/855,732</u> Application Serial No.	<u>19/03/1992</u> Filed dd/mm/yyyy	<u>Patented (5,399,491)</u> Status - patented, pending, abandoned			<u>X</u> Yes	<u>      </u> No
<u>07/550,837</u> Application Serial No.	<u>10/07/1990</u> Filed dd/mm/yyyy	<u>Patented (5,480,784)</u> Status - patented, pending, abandoned			<u>X</u> Yes	<u>      </u> No
<u>07/379,501</u> Application Serial No.	<u>11/07/1989</u> Filed dd/mm/yyyy	<u>Abandoned</u> Status - patented, pending, abandoned			<u>X</u> Yes	<u>      </u> No

COMBINED DECLARATION AND  
POWER OF ATTORNEY

Atty. Docket No. GP034-03.DV1

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful, false statements may jeopardize the validity of the application or any patent issued thereon.

## POWER OF ATTORNEY OR AUTHORIZATION OF AGENT

I/we hereby appoint practitioners at Customer Number:



21365

PATENT TRADEMARK OFFICE

as my/our attorneys and/or agents to prosecute this application and all continuing applications claiming priority thereto, and to transact all business in the Patent and Trademark Office connected with such applications.

-----  
Full name of first inventor: Sherrol H. McDonough

Inventor's signature Sherrol H. McDonough Date 3-28-02

Residence: 5005 Maynard Street, San Diego, CA 92122

Citizenship: United States of America

Post Office Address: 5005 Maynard Street, San Diego, CA 92122

Full name of second inventor: Daniel L. Kacian

Inventor's signature Daniel L. Kacian Date 4-1-02

Residence: 3911 Tambor Road, San Diego, CA 92124

Citizenship: United States of America

Post Office Address: 3911 Tambor Road, San Diego, CA 92124

COMBINED DECLARATION AND  
POWER OF ATTORNEY

Atty. Docket No. GP034-03.DV1

Full name of third inventor: Nanibhushan Datta GuptaInventor's signature Nanibhushan Datta Gupta Date March 26, 2002Residence: 4221 Kerwood Court, San Diego, CA 92130Citizenship: IndiaPost Office Address: 4221 Kerwood Court, San Diego, CA 92130Full name of fourth inventor: Diane L. McAllister

Inventor's signature \_\_\_\_\_ Date \_\_\_\_\_

Residence: 8664 Anrol Avenue, San Diego, CA 92123Citizenship: United States of AmericaPost Office Address: 8664 Anrol Avenue, San Diego, CA 92123Full name of fifth inventor: Philip W. Hammond

Inventor's signature \_\_\_\_\_ Date \_\_\_\_\_

Residence: 6 Hedgeway, Ayer, MA 01432Citizenship: United States of AmericaPost Office Address: 6 Hedgeway, Ayer, MA 01432Full name of sixth inventor: Thomas B. Ryder

Inventor's signature \_\_\_\_\_ Date \_\_\_\_\_

Residence: 100 Spring Street, Los Gatos, CA 95030Citizenship: United States of AmericaPost Office Address: 100 Spring Street, Los Gatos, CA 95030Full name of seventh inventor: Yeasing Y. Yang

Inventor's signature \_\_\_\_\_ Date \_\_\_\_\_

Residence: 13569 Glenciff Way, San Diego, CA 92130Citizenship: United States of AmericaPost Office Address: 13569 Glenciff Way, San Diego, CA 92130

COMBINED DECLARATION AND  
POWER OF ATTORNEY

Atty. Docket No. GP034-03.DV1

Full name of third inventor: Nanibhushan Dattagupta

Inventor's signature \_\_\_\_\_ Date \_\_\_\_\_

Residence: 4221 Kerwood Court, San Diego, CA 92130Citizenship: IndiaPost Office Address: 4221 Kerwood Court, San Diego, CA 92130Full name of fourth inventor: Diane L. McAllisterInventor's signature Diane L. McAllister Date 3-26-02Residence: 8664 Anrol Avenue, San Diego, CA 92123Citizenship: United States of AmericaPost Office Address: 8664 Anrol Avenue, San Diego, CA 92123Full name of fifth inventor: Philip W. Hammond

Inventor's signature \_\_\_\_\_ Date \_\_\_\_\_

Residence: 6 Hedgeway, Ayer, MA 01432Citizenship: United States of AmericaPost Office Address: 6 Hedgeway, Ayer, MA 01432Full name of sixth inventor: Thomas B. Ryder

Inventor's signature \_\_\_\_\_ Date \_\_\_\_\_

Residence: 100 Spring Street, Los Gatos, CA 95030Citizenship: United States of AmericaPost Office Address: 100 Spring Street, Los Gatos, CA 95030Full name of seventh inventor: Yeasing Y. Yang

Inventor's signature \_\_\_\_\_ Date \_\_\_\_\_

Residence: 13569 Glencliff Way, San Diego, CA 92130Citizenship: United States of AmericaPost Office Address: 13569 Glencliff Way, San Diego, CA 92130

COMBINED DECLARATION AND  
POWER OF ATTORNEY

Atty. Docket No. GP034-03.DV1

Full name of third inventor: Nanibhushan Datta Gupta

Inventor's signature \_\_\_\_\_ Date \_\_\_\_\_

Residence: 4221 Kerwood Court, San Diego, CA 92130Citizenship: IndiaPost Office Address: 4221 Kerwood Court, San Diego, CA 92130Full name of fourth inventor: Diane L. McAllister

Inventor's signature \_\_\_\_\_ Date \_\_\_\_\_

Residence: 8664 Anrol Avenue, San Diego, CA 92123Citizenship: United States of AmericaPost Office Address: 8664 Anrol Avenue, San Diego, CA 92123Full name of fifth inventor: Philip W. HammondInventor's signature Philip W. Hammond Date 3/28/02Residence: 6 Hedgeway, Ayer, MA 01432Citizenship: United States of AmericaPost Office Address: 6 Hedgeway, Ayer, MA 01432Full name of sixth inventor: Thomas B. Ryder

Inventor's signature \_\_\_\_\_ Date \_\_\_\_\_

Residence: 100 Spring Street, Los Gatos, CA 95030Citizenship: United States of AmericaPost Office Address: 100 Spring Street, Los Gatos, CA 95030Full name of seventh inventor: Yeasing Y. Yang

Inventor's signature \_\_\_\_\_ Date \_\_\_\_\_

Residence: 13569 Glenciff Way, San Diego, CA 92130Citizenship: United States of AmericaPost Office Address: 13569 Glenciff Way, San Diego, CA 92130

COMBINED DECLARATION AND  
POWER OF ATTORNEY

Atty. Docket No. GP034-03.DV1

Full name of third inventor: Nanibhushan Dattagupta

Inventor's signature \_\_\_\_\_ Date \_\_\_\_\_

Residence: 4221 Kerwood Court, San Diego, CA 92130Citizenship: IndiaPost Office Address: 4221 Kerwood Court, San Diego, CA 92130Full name of fourth inventor: Diane L. McAllister

Inventor's signature \_\_\_\_\_ Date \_\_\_\_\_

Residence: 8664 Anrol Avenue, San Diego, CA 92123Citizenship: United States of AmericaPost Office Address: 8664 Anrol Avenue, San Diego, CA 92123Full name of fifth inventor: Philip W. Hammond

Inventor's signature \_\_\_\_\_ Date \_\_\_\_\_

Residence: 6 Hedgeway, Ayer, MA 01432Citizenship: United States of AmericaPost Office Address: 6 Hedgeway, Ayer, MA 01432Full name of sixth inventor: Thomas B. RyderInventor's signature  Date Mar 27, 2002Residence: 100 Spring Street, Los Gatos, CA 95030Citizenship: United States of AmericaPost Office Address: 100 Spring Street, Los Gatos, CA 95030Full name of seventh inventor: Yeasing Y. Yang

Inventor's signature \_\_\_\_\_ Date \_\_\_\_\_

Residence: 13569 Glenciff Way, San Diego, CA 92130Citizenship: United States of AmericaPost Office Address: 13569 Glenciff Way, San Diego, CA 92130

COMBINED DECLARATION AND  
POWER OF ATTORNEY

Atty. Docket No. GP034-03.DV1

Full name of third inventor: Nanibhushan Datta Gupta

Inventor's signature \_\_\_\_\_ Date \_\_\_\_\_

Residence: 4221 Kerwood Court, San Diego, CA 92130Citizenship: IndiaPost Office Address: 4221 Kerwood Court, San Diego, CA 92130Full name of fourth inventor: Diane L. McAllister

Inventor's signature \_\_\_\_\_ Date \_\_\_\_\_

Residence: 8664 Anrol Avenue, San Diego, CA 92123Citizenship: United States of AmericaPost Office Address: 8664 Anrol Avenue, San Diego, CA 92123Full name of fifth inventor: Philip W. Hammond

Inventor's signature \_\_\_\_\_ Date \_\_\_\_\_

Residence: 6 Hedgeway, Ayer, MA 01432Citizenship: United States of AmericaPost Office Address: 6 Hedgeway, Ayer, MA 01432Full name of sixth inventor: Thomas B. Ryder

Inventor's signature \_\_\_\_\_ Date \_\_\_\_\_

Residence: 100 Spring Street, Los Gatos, CA 95030Citizenship: United States of AmericaPost Office Address: 100 Spring Street, Los Gatos, CA 95030Full name of seventh inventor: Yeasing Y. YangInventor's signature Yeasing Yang Date 3-24-02Residence: 13569 Glendcliff Way, San Diego, CA 92130Citizenship: United States of AmericaPost Office Address: 13569 Glendcliff Way, San Diego, CA 92130

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:	)	Group Art Unit: 1631
	)	
McDONOUGH <i>et al.</i>	)	Examiner: Marschel, A.
	)	
Serial No. 08/480,472	)	Atty. Docket No. GP034-03.DVI
	)	
Filed: June 6, 1995	)	<b>VIA FACSIMILE</b>
	)	
For: NUCLEIC ACID SEQUENCE	)	
AMPLIFICATION	)	

**ESTABLISHMENT OF RIGHT OF ASSIGNEE TO TAKE ACTION  
AND  
REVOCATION AND POWER OF ATTORNEY**

Box AF  
Commissioner for Patents  
Washington, D.C. 20231

Sir:

The undersigned is empowered to act on behalf of Gen-Probe Incorporated, the assignee of the above-captioned application ("the Assignee"). The assignment of this application from the inventors to the Assignee is evidenced by the Assignments attached hereto. *See Attachment A.* These Assignments represent the entire chain of title of this application from the inventors to the Assignee. I have reviewed the attached Assignments and, to my knowledge and belief, the Assignee is the owner of the entire right, title and interest in the above-captioned application.

I declare that all statements made herein are true, and that all statements made upon information and belief are believed to be true, and further, that these statements were made with the knowledge that willful, false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. §1001, and that willful, false statements may jeopardize the validity of the application, or any patent issuing thereon.

**REVOCATION AND  
POWER OF ATTORNEY****Serial No. 08/480,472  
Atty. Docket No. GP034-03.DV1**

The undersigned hereby revokes any previous powers of attorney in the subject application, and hereby appoints the practitioners at Customer Number:

**21365**

PATENT TRADEMARK OFFICE

as its attorneys and/or agents with full power of substitution and revocation to prosecute this application and to transact all business in the United States Patent and Trademark Office connected herewith. This appointment also extends to any and all continuing applications claiming priority to the above-captioned application and is to be to the exclusion of the inventors and their attorney(s) in accordance with the provisions of 37 C.F.R. § 3.71.

Please direct all future communications relative to said application to the address associated with the above customer number.

Dated: April 2, 2002

By:



Peter R. Shearer  
Vice President, Intellectual Property  
Gen-Probe Incorporated  
10210 Genetic Center Drive  
San Diego, California 92121

APR-03-02 17:38

FROM-GEN-PROBE EXECUTIVE OFFICE

8584108922

T-684 P.99 F-485

**ATTACHMENT A**

## A S S I G N M E N T

For valuable consideration, we, Sherrol H. McDonough

of San Diego, CA; Daniel L. Kacian  
 CITY OR TOWN STATE FIRST MIDDLE INITIAL LAST  
 of San Diego, CA; Nanibushan Dattagupta  
 CITY OR TOWN STATE FIRST MIDDLE INITIAL LAST  
 of San Diego, CA; Diane L. McAllister  
 CITY OR TOWN STATE FIRST MIDDLE INITIAL LAST  
 of San Diego, CA; Philip W. Hammond  
 CITY OR TOWN STATE FIRST MIDDLE INITIAL LAST  
 of San Diego, CA; and Thomas B. Ryder  
 CITY OR TOWN STATE FIRST MIDDLE INITIAL LAST

of San Diego, CA; hereby assign to .....

GEN-PROBE INCORPORATED, a Delaware

corporation having a place of business at San Diego, California

and its successors and assigns (collectively hereinafter called "the Assignee"),

the entire right, title and interest throughout the world in the inventions and

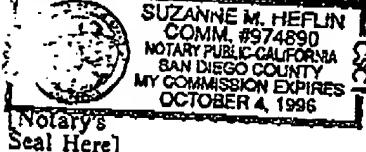
improvements which are the subject of an application for ~~U.S. Serial No. 07/925,405~~  
 filed on August 4, 1992 ~~U.S. Serial No. 07/925,405~~  
 entitled NUCLEIC ACID SEQUENCE AMPLIFICATION

this assignment including said application and any and all the United States and foreign patents granted for any of said inventions or improvements, and the right to claim priority based on the filing date of said application under the International Convention for the Protection of Industrial Property, the Patent Cooperation Treaty, the European Patent Convention, and all other treaties of like purposes; and we authorize the Assignee to apply in all countries in our name or in its own name for patents and like rights of exclusion and for inventors' certificates for said inventions and improvements; and we agree for ourselves and our respective heirs, legal representatives and assigns, without further compensation to perform such lawful acts and to sign such further applications, assignments, Preliminary Statements and other lawful documents as the Assignee may reasonably request to effectuate fully this assignment.

IN WITNESS WHEREOF, I hereto set my hand and seal at San Diego, California, this 26 day of February, 1993.

STATE OF California, SHERROL H. MCDONOUGH  
 : ss  
 COUNTY OF San Diego, : ss

Before me this 26 day of February, 1993, personally appeared Sherrol H. McDonough, known to me to be the person whose name is subscribed to the foregoing Assignment and acknowledged that he executed the same as his free act and deed for the purposes therein contained.



Suzanne M. Hefflin  
 Notary Public

My Commission Expires: October 4, 1996

REF 6502 MM 587

IN WITNESS WHEREOF, I hereto set my hand and seal at .....San..Diego....., California..... this ..26.... day of February....., 19..93

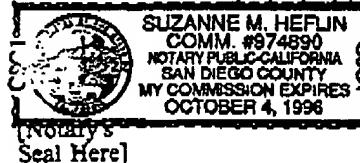
STATE OF ....California.....

COUNTY OF ...San Diego.....

*Daniel L. Kacian* L.S.  
DANIEL FIRST MIDDLE INITIAL LAST  
L. KACIAN

Before me this 26..... day of February....., 19.93, personally appeared

..... known to me to be the person whose name is subscribed to the foregoing Assignment and acknowledged that he executed the same as his free act and deed for the purposes therein contained.



*Suzanne M. Heflin*  
Notary Public

My Commission Expires:

October 4, 1996

IN WITNESS WHEREOF, I hereto set my hand and seal at ..San..Diego....., California..... this ....26.. day of .February....., 1993..

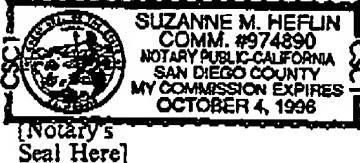
STATE OF ..California..... NANIBHUSHAN

COUNTY OF ...San..Diego.....

*Nanibhushan Dattagupta* L.S.  
NANIBHUSHAN FIRST MIDDLE INITIAL LAST  
DATTAGUPTA

Before me this ..26.... day of February....., 19.93, personally appeared

Nanibhushan Dattagupta..... known to me to be the person whose name is subscribed to the foregoing Assignment and acknowledged that he executed the same as his free act and deed for the purposes therein contained.



*Suzanne M. Heflin*  
Notary Public

My Commission Expires:

October 4, 1996

IN WITNESS WHEREOF, I hereto set my hand and seal at ....San..Diego....., California..... this ..26.... day of .February....., 1993..

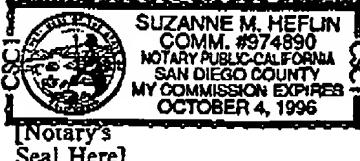
STATE OF California..... DIANE

COUNTY OF ...San..Diego.....

*Diane L. McAllister* L.S.  
DIANE FIRST MIDDLE INITIAL LAST  
MCALLISTER

Before me this ..26.... day of February....., 19.93, personally appeared

Diane L. McAllister..... known to me to be the person whose name is subscribed to the foregoing Assignment and acknowledged that he executed the same as his free act and deed for the purposes therein contained.



*Suzanne M. Heflin*  
Notary Public

My Commission Expires:

October 4, 1996

REC'D 502 588

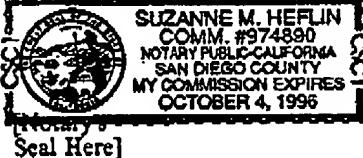
IN WITNESS WHEREOF, I hereto set my hand and seal at ..... San Diego....., California..... this 26..... day of February....., 1993.

*Philip W. Hammond* L.S.  
FIRST MIDDLE INITIAL LAST

STATE OF California PHILIP W. HAMMOND

COUNTY OF San Diego ss

Before me this 26... day of February....., 1993, personally appeared Philip W. Hammond..... known to me to be the person whose name is subscribed to the foregoing Assignment and acknowledged that he executed the same as his free act and deed for the purposes therein contained.



*Suzanne M. Hefflin*  
Notary Public

My Commission Expires:

October 4, 1996

IN WITNESS WHEREOF, I hereto set my hand and seal at ... San Diego....., California..... this 26... day of February....., 1993.

*Thomas B. Ryder* L.S.  
FIRST MIDDLE INITIAL LAST

STATE OF California THOMAS B. RYDER

COUNTY OF San Diego ss

Before me this 26... day of ....February...., 1993 personally appeared Thomas B. Ryder..... known to me to be the person whose name is subscribed to the foregoing Assignment and acknowledged that he executed the same as his free act and deed for the purposes therein contained.



*Suzanne M. Hefflin*  
Notary Public

My Commission Expires:

October 4, 1996

IN WITNESS WHEREOF, I hereto set my hand and seal at ....., this ..... day of ....., 19.....

..... L.S.  
FIRST MIDDLE INITIAL LAST

STATE OF ..... ss

COUNTY OF ..... ss

Before me this ..... day of ....., 19....., personally appeared ..... known to me to be the person whose name is subscribed to the foregoing Assignment and acknowledged that he executed the same as his free act and deed for the purposes therein contained.

..... Notary Public

My Commission Expires:

[Notary's Seal Here]

RECORDED  
PATENT AND TRADEMARK  
OFFICE

OCT 14 1992

RECEIVED  
APR 6 502 1992  
FBI - LOS ANGELES

Docket No. GP034-03.DV1

**ASSIGNMENT**

FOR GOOD AND VALUABLE CONSIDERATION, the receipt and sufficiency of which are hereby acknowledged, I, Yeasing Y. Yang of 13569 Glencliff Way, San Diego, California 92130 (hereinafter "ASSIGNOR"), do hereby sell, assign and transfer unto Gen-Probe Incorporated, a corporation duly organized and existing under the laws of the State of Delaware and having its principal office and place of business at 10210 Genetic Center Drive, San Diego, California 92121, and its successors, assigns and legal representatives (hereinafter collectively "ASSIGNEE"), the entire right, title and interest throughout the world in and to those inventions and improvements which are the subject of an application for Letters Patent of the United States entitled "NUCLEIC ACID SEQUENCE AMPLIFICATION" and filed on June 6, 1995 (hereinafter "the application"), and to said application and any and all regular, continuation, divisional, continuation-in-part, reissue and substitute applications thereof, and all rights of priority under International Conventions and applications for Letters Patent filed for said inventions and improvements in any country or countries foreign to the United States, together with all Letters Patent issuing on any of the aforesaid applications for Letters Patent and all extensions and renewals thereof.

AND ASSIGNOR HEREBY AUTHORIZES ASSIGNEE to make applications in all countries in the names of the ASSIGNOR or in the name of the ASSIGNEE for Letters Patent and like rights of exclusion and for inventor's certificates for said inventions and improvements.

AND ASSIGNOR HEREBY COVENANTS AND AGREES to communicate to ASSIGNEE all facts known to ASSIGNOR concerning said inventions and improvements, and to testify in any legal proceeding, sign all lawful papers, execute all continuation, division, continuation-in-part and reissue applications, make all rightful oaths, and to perform any other reasonable and lawful act to assist ASSIGNEE in obtaining full protection and title in and to said inventions and improvements in all countries.

AND ASSIGNOR HEREBY AUTHORIZES AND REQUESTS the Commissioner for Patents to issue all Letters Patent of the United States for said inventions and improvements to ASSIGNEE in accordance with the terms of this instrument.

## ASSIGNMENT

Docket No. GP034-03.DV1

IN WITNESS WHEREOF, I hereto set my hand and seal at San Diego, California,  
this 24th day of March, 2002.

By: Seasong  
Yeasing Y. Yang